



# SPECIAL NEEDS SCHOLARSHIP PROGRAM INFORMATIONAL BULLETIN

Bulletin 01-01

New June 2016

## 2016-17 Initial Student Eligibility

The Special Needs Scholarship Program (SNSP) allows a student with a disability, who meets certain eligibility requirements, to receive a state-funded scholarship to attend a participating private school. The following information is intended to assist participating private schools in understanding the state law related to determining if a student with a disability meets the initial SNSP eligibility requirements. There is also a bulletin available at <http://dpi.wi.gov/sms/special-needs-scholarship/bulletins> that explains the student eligibility requirements for continuing students.

For the 2016-17 school year, there are two options by which a student can meet the eligibility requirements: (a) Student Eligibility Option 1, and (b) Student Eligibility Option 2 – 2016-17 Alternative Option.

### **STUDENT ELIGIBILITY OPTION 1**

Under Wis. Stat. § 115.7915, a student with a disability may be eligible to participate in the SNSP if the student meets all of the following eligibility requirements:

- **Prior Year Enrollment.** The student was enrolled in a Wisconsin public school for the **entire** school year before applying to participate in the SNSP.
- **Open Enrollment Denial.** The student applied to attend a public school under the open enrollment program for the same school year the student is submitting an application for the SNSP, and all of the following occurred:
  - o All of the student's open enrollment applications were denied. Only certain denial reasons meet the eligibility criteria. See the Open Enrollment Denial section for more information.
  - o If the open enrollment denial was appealed, the department affirmed the decision.
- **IEP or Services Plan.** The student has an Individualized Education Program (IEP) or services plan in effect.

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Wisconsin Resident. The student resides in Wisconsin. Further information on the residency requirements is available at: <http://dpi.wi.gov/sms/special-needs-scholarship/student-applications-processing>.

This option is available in 2016-17 and all future years.

## **STUDENT ELIGIBILITY OPTION 2 – 2016-17 ALTERNATIVE OPTION**

For the 2016-17 school year **only**, a student may be eligible to participate in the SNSP if the student meets all of the following eligibility requirements:

- Prior Year Enrollment. There is no requirement that the student was enrolled a public school district in the previous year.
- Open Enrollment Denial. The student applied to attend a public school under the public school open enrollment program for the 2011-12, 2012-13, 2013-14, 2014-15, or 2015-16 school years and all of the following occurred for **that year**:
  - o All of the student's open enrollment applications were denied. Only certain denial reasons meet the eligibility criteria. See the Open Enrollment Denial section for more information.
  - o If the open enrollment denial was appealed, the department affirmed the decision.
- IEP or Services Plan. The student had an IEP or services plan that was developed or had an implementation date between July 1, 2011 and June 30, 2016.
- Wisconsin Resident. The student resides in Wisconsin. Further information on the residency requirements is available at: <http://dpi.wi.gov/sms/special-needs-scholarship/student-applications-processing>.

## **PRIOR YEAR ENROLLMENT**

### **Student Eligibility Option 1.**

In order to be eligible, a student applicant must first have been enrolled in a Wisconsin public school for the entire school year before the year in which he/she is seeking to participate in the SNSP.

For purposes of the SNSP, enrollment for the entire school year means that a student was registered and attending classes at a Wisconsin public school for the entire school year and counted by the school district for state aid purposes on both the 3<sup>rd</sup> Friday in September and the 2<sup>nd</sup> Friday in January. Students would be counted in a school district's aid count if they had attended a public school, a district authorized charter school, an independent charter school, a school district under the interdistrict Chapter 220 program, or a school district under the open enrollment program.

By statute, a home-based private educational program is not a public school and enrollment in a home-based private school does not meet the prior year enrollment requirement. In addition, enrollment at a private school, including a private school

participating in the Milwaukee, Racine or Wisconsin Parental Choice Program, does not meet this requirement.

### **Student Eligibility Option 2 – 2016-17 Alternative Option.**

There is no requirement that the student have been enrolled in a public school district in the previous year.

## **OPEN ENROLLMENT DENIAL**

### **Open Enrollment Overview.**

Open enrollment allows a parent to apply to have their student attend a school district other than the one in which they reside. There are two ways a parent can apply for open enrollment. A parent could submit an application during the regular application period. An application submitted during the regular application period is for the following school year. The regular application period occurs during a 3-month application period each year which begins in February and ends on the last weekday in April.

A parent could also submit an alternative application. This procedure is a way for parents to apply for open enrollment outside the regular application period. An alternative application for open enrollment must be submitted during the school year in which the pupil wants to begin attending school in the nonresident school district. For more information about open enrollment, or access to the open enrollment regular and alternative applications, please see the Public School Open Enrollment website at: <http://dpi.wi.gov/open-enrollment>.

### **Open Enrollment Denials.**

A student applying to participate in the SNSP must have had his/her open enrollment application denied. See the student eligibility options overview above to determine which year(s) a student must have been denied open enrollment for eligibility purposes for each option.

Open enrollment denials may come from a student's resident or non-resident school district. A resident school district is the school district where the student lives. The nonresident school district is the public school district where the student has applied to attend.

When denying a student's open enrollment, public school districts are required to indicate the reason for the denial. Only certain open enrollment denials meet the SNSP eligibility requirements. The denials that meet the SNSP eligibility requirements are as follows:

#### **Non-Resident School District Denials.**

- A non-resident school district denied the open enrollment application (regular open enrollment application or alternative open enrollment application) for any reason.

- A non-resident school district terminated open enrollment because it did not have the special education and/or related services required under a newly developed or revised IEP, or it did not have the space to provide the special education or related services required under a revised IEP.

*Resident School District Denials.*

- The student applied under the alternative open enrollment option and the alternative application criteria was determined to not be applicable to the student by the resident school district.
- For the SNSP student applicants applying under Student Eligibility Option 2 – 2016-17 Alternative Option **only**, the resident school district could have denied open enrollment during the 2011-12, 2012-13, 2013-14, 2014-15, or 2015-16 school years because of undue financial burden.

**Open Enrollment Appeals.**

The applicant is not required to appeal any of the open enrollment denials to qualify for the SNSP. However, if the applicant appeals any of the denials, the denials must have been affirmed (upheld) by the department for the applicant to qualify for the SNSP.

**SNSP Required Open Enrollment Documentation.**

The SNSP applicant must submit copies of the open enrollment denial letter(s) to the participating private school and, if the decision was appealed to the department, a copy of the letter(s) from the department upholding the denial for the applicable year. If a student applicant did not retain the open enrollment denial letter(s) or the letter(s) from the department affirming (upholding) the open enrollment denial, the participating private school may contact the department for confirmation that the open enrollment application was denied and any appeal was upheld by the department, if applicable.

**IEP OR SERVICES PLAN**

To be eligible to participate in the SNSP, a student must have an IEP or services plan in effect. An IEP is a written statement that outlines an educational plan for a student with a disability who is enrolled in a public school. IEPs are developed, reviewed, and revised by a student's IEP team. A services plan is a written statement that describes the special education and related services a public school will provide to a student with a disability placed in a private school by his/her parent.

**Student Eligibility Option 1**

The student must have an IEP or services plan in effect at the time the student applied to participate in the SNSP. This means the public school district had developed and is implementing an IEP or services plan for the student at the time the student submitted his/her SNSP student application.

## **Student Eligibility Option 2 – 2016-17 Alternative Option.**

The student must have had an IEP or services plan that was developed or had an implementation date between July 1, 2011 and June 30, 2016.

### **IEP or Services Plan Verification.**

Once a participating private school has determined that a SNSP student applicant meets the SNSP eligibility requirements, the participating private school will notify the department of the student's eligibility. The department will then notify the student's resident school district which will have three (3) days to complete the following:

1. Provide verification to the department that the student has or had an IEP or services plan during the required time.
2. Provide a copy of the IEP to the participating private school.

If the resident school district notifies the department that the student does not or did not have an IEP or services plan and a different school district prepared the IEP or services plan, the department will then notify the school district that prepared the IEP or services plan that it must do the following within three (3) days:

1. Provide verification to the department that the student has or had an IEP or services plan during the required time.
2. Provide a copy of the IEP to the participating private school.

The private school must notify the applicant whether or not they are eligible for the program within 7 days of the private school receiving one of the following:

- The IEP from the public school district,
- Notification from the department that a services plan is or was in effect, or
- Notification from the department that an IEP or service plan is or was not in effect.